

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kimberly Ann Dwyer, PhD. et al

Serial No. : Art Unit:

Filed : Examiner:

For : Assembly Tool for Modular Implants And
Associated Method

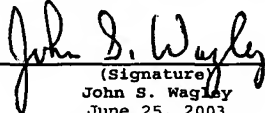
I hereby certify that this correspondence is being deposited with the
United States Postal Service as "Express Mail" mailing number EU813686195US under 37 CFR 1.10
Addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 25, 2003

(Date of Deposit)

John S. Wagley

(Name of person depositing this document)



(Signature)

John S. Wagley
June 25, 2003
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/DEP670/JSW the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/DEP670 /JSW the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ There are no listed references which are not in the English language.

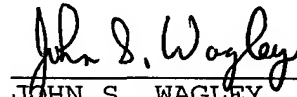
☒ The relevance of those listed references which are not in the English language is as follows: The relevance of those references can be ascertained by reference to the English Abstract and to the drawings.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP670/JSW. This form is submitted in triplicate.

Respectfully submitted,



JOHN S. WAGLEY
Reg. No. 36,043
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(574) 372-7332
DATED: June 25, 2003

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number**Filing Date**

June 25, 2003

First Named InventorKimberly Ann Dwyer,
PhD.**Group Art Unit****Examiner Name****Attorney Docket Number**

DEP670

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		US 2001/0001121 A1		Lombardo et al.	05-10-2001	
		US 2001/0007957 A1		Martin et al.	07-12-2001	
		3,810,312		Carson	05-14-1974	
		4,716,894		Lazzeri et al.	01-05-1988	
		4,917,530		Engelhardt et al.	04-17-1990	
		4,969,911		Greene	11-13-1990	
		5,002,581		Paxson et al.	03-26-1991	
		5,100,407		Conrad et al.	03-31-1992	
		5,135,529		Paxson et al.	08-04-1992	
		5,197,989		Hinckfuss et al.	03-30-1993	
		5,201,882		Paxson	04-13-1993	
		5,370,706		Bolesky et al.	12-06-1994	
		5,507,824		Lennox	04-16-1996	
		5,507,830		DeMane et al.	04-16-1996	
		5,601,567		Swajger et al.	02-11-1997	
		5,607,431		Dudasik et al.	03-04-1997	
		5,645,607		Hickey	07-08-1997	
		5,658,349		Brooks et al.	08-19-1997	
		5,728,128		Crickenberger et al.	03-17-1998	
		5,766,261		Neal et al.	06-16-1998	
		5,776,200		Johnson et al.	07-07-1998	
		5,792,143		Samuelson et al.	08-11-1998	
		5,810,829		Elliott et al.	09-22-1998	
		5,810,830		Noble et al.	09-22-1998	
		5,858,020		Johnson et al.	01-12-1999	
		5,860,969		White et al.	01-19-1999	
		5,876,459		Powell	03-02-1999	
		5,879,391		Slamin	03-09-1999	
		5,906,644		Powell	05-25-1999	
		5,919,195		Wilson et al.	07-06-1999	
		5,935,172		Ochoa et al.	08-10-1999	
		5,951,606		Burke	09-14-1999	
		5,976,147		LaSalle et al.	11-02-1999	

[illegible]

--	--	--	--	--	--	--

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 3 of 3	Application Number	
	Filing Date	June 25, 2003
	First Named Inventor	Kimberly Ann Dwyer PhD.
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	DEP670

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
			WO 96/15739		ARTOS MEDIZINISCHE PRODUKTE GMBH	05-30-1996		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kimberly Ann Dwyer, PhD. et al

Serial No. : Art Unit:

Filed : Examiner:

For : Assembly Tool for Modular Implants And
Associated Method

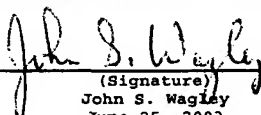
I hereby certify that this correspondence is being deposited with the
United States Postal Service as "Express Mail" mailing number EU813686195US under 37 CFR 1.10
Addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 25, 2003

(Date of Deposit)

John S. Wagley

(Name of person depositing this document)



(Signature)
John S. Wagley
June 25, 2003
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/DEP670/JSW the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/DEP670 /JSW the fee of \$180.00 as set forth in §1.17(p) .

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p) .

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ There are no listed references which are not in the English language.

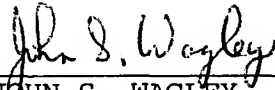
☒ The relevance of those listed references which are not in the English language is as follows: The relevance of those references can be ascertained by reference to the English Abstract and to the drawings.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP670/JSW. This form is submitted in triplicate.

Respectfully submitted,



JOHN S. WAGLEY
Reg. No. 36,043
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(574) 372-7332
DATED: June 25, 2003

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number

Filing Date

June 25, 2003

First Named Inventor

Kimberly Ann Dwyer,
PhD.

Group Art Unit

Examiner Name

Attorney Docket Number

DEP670

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		US 2001/0001121 A1		Lombardo et al.	05-10-2001	
		US 2001/0007957 A1		Martin et al.	07-12-2001	
		3,810,312		Carson	05-14-1974	
		4,716,894		Lazzeri et al.	01-05-1988	
		4,917,530		Engelhardt et al.	04-17-1990	
		4,969,911		Greene	11-13-1990	
		5,002,581		Paxson et al.	03-26-1991	
		5,100,407		Conrad et al.	03-31-1992	
		5,135,529		Paxson et al.	08-04-1992	
		5,197,989		Hinckfuss et al.	03-30-1993	
		5,201,882		Paxson	04-13-1993	
		5,370,706		Bolesky et al.	12-06-1994	
		5,507,824		Lennox	04-16-1996	
		5,507,830		DeMane et al.	04-16-1996	
		5,601,567		Swajger et al.	02-11-1997	
		5,607,431		Dudasik et al.	03-04-1997	
		5,645,607		Hickey	07-08-1997	
		5,658,349		Brooks et al.	08-19-1997	
		5,728,128		Crickenberger et al.	03-17-1998	
		5,766,261		Neal et al.	06-16-1998	
		5,776,200		Johnson et al.	07-07-1998	
		5,792,143		Samuelson et al.	08-11-1998	
		5,810,829		Elliott et al.	09-22-1998	
		5,810,830		Noble et al.	09-22-1998	
		5,858,020		Johnson et al.	01-12-1999	
		5,860,969		White et al.	01-19-1999	
		5,876,459		Powell	03-02-1999	
		5,879,391		Slamin	03-09-1999	
		5,906,644		Powell	05-25-1999	
		5,919,195		Wilson et al.	07-06-1999	
		5,935,172		Ochoa et al.	08-10-1999	
		5,951,606		Burke	09-14-1999	
		5,976,147		LaSalle et al.	11-02-1999	

--	--	--	--	--	--

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 3 of 3	Application Number	
	Filing Date	June 25, 2003
	First Named Inventor	Kimberly Ann Dwyer PhD.
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	DEP670

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ²
		Office ³	Number ⁴	KindCode ⁵				
			WO 96/15739		ARTOS MEDIZINISCHE PRODUKTE GMBH	05-30-1996		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kimberly Ann Dwyer, PhD. et al

Serial No. : Art Unit:

Filed : Examiner:

For : Assembly Tool for Modular Implants And
Associated Method

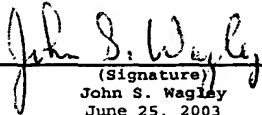
I hereby certify that this correspondence is being deposited with the
United States Postal Service as "Express Mail" mailing number EU813686195US under 37 CFR 1.10
Addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 25, 2003

(Date of Deposit)

John S. Wagley

(Name of person depositing this document)



(Signature)

John S. Wagley
June 25, 2003
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/DEP670/JSW the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/DEP670 /JSW the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ There are no listed references which are not in the English language.

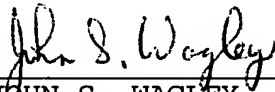
☒ The relevance of those listed references which are not in the English language is as follows: The relevance of those references can be ascertained by reference to the English Abstract and to the drawings.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP670/JSW. This form is submitted in triplicate.

Respectfully submitted,



JOHN S. WAGLEY
Reg. No. 36,043
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(574) 372-7332
DATED: June 25, 2003

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number	
Filing Date	June 25, 2003
First Named Inventor	Kimberly Ann Dwyer, PhD.
Group Art Unit	
Examiner Name	
Attorney Docket Number	DEP670

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		US 2001/0001121 A1		Lombardo et al.	05-10- 2001	
		US 2001/0007957 A1		Martin et al.	07-12- 2001	
		3,810,312		Carson	05-14-1974	
		4,716, 894		Lazzeri et al.	01-05-1988	
		4,917,530		Engelhardt et al.	04-17-1990	
		4,969,911		Greene	11-13-1990	
		5,002,581		Paxson et al.	03-26-1991	
		5,100,407		Conrad et al.	03-31-1992	
		5,135,529		Paxson et al.	08-04-1992	
		5,197,989		Hinckfuss et al.	03-30-1993	
		5,201,882		Paxson	04-13-1993	
		5,370,706		Bolesky et al.	12-06-1994	
		5,507,824		Lennox	04-16-1996	
		5,507,830		DeMane et al.	04-16-1996	
		5,601,567		Swajger et al.	02-11-1997	
		5,607,431		Dudasik et al.	03-04-1997	
		5,645,607		Hickey	07-08-1997	
		5,658,349		Brooks et al.	08-19-1997	
		5,728,128		Crickenberger et al.	03-17-1998	
		5,766,261		Neal et al.	06-16-1998	
		5,776,200		Johnson et al.	07-07-1998	
		5,792,143		Samuelson et al.	08-11-1998	
		5,810,829		Elliott et al.	09-22-1998	
		5,810,830		Noble et al.	09-22-1998	
		5,858,020		Johnson et al.	01-12-1999	
		5,860,969		White et al.	01-19-1999	
		5,876,459		Powell	03-02-1999	
		5,879,391		Slamin	03-09-1999	
		5,906,644		Powell	05-25-1999	
		5,919,195		Wilson et al.	07-06-1999	
		5,935,172		Ochoa et al.	08-10-1999	
		5,951,606		Burke	09-14-1999	
		5,976,147		LaSalle et al.	11-02- 1999	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 2 of 3

Filing Date

June 25, 2003

Kimberly Ann Dwyer
PhD.

Group Art Unit

Examiner Name

Attorney Docket Number

DEP670

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

[illegible]

--	--	--	--	--	--	--

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 3 of 3	Application Number	
	Filing Date	June 25, 2003
	First Named Inventor	Kimberly Ann Dwyer PhD.
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	DEP670

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
			WO 96/15739		ARTOS MEDIZINISCHE PRODUKTE GMBH	05-30-1996		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kimberly Ann Dwyer, PhD. et al

Serial No. : Art Unit:

Filed : Examiner:

For : Assembly Tool for Modular Implants And
Associated Method

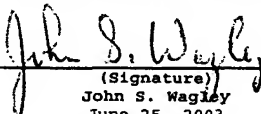
I hereby certify that this correspondence is being deposited with the
United States Postal Service as "Express Mail" mailing number EU813686195US under 37 CFR 1.10
Addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 25, 2003

(Date of Deposit)

John S. Wagley

(Name of person depositing this document)


(Signature)
John S. Wagley
June 25, 2003
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/DEP670/JSW the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/DEP670 /JSW the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ There are no listed references which are not in the English language.

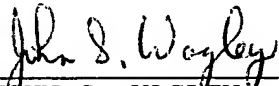
☒ The relevance of those listed references which are not in the English language is as follows: The relevance of those references can be ascertained by reference to the English Abstract and to the drawings.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP670/JSW. This form is submitted in triplicate.

Respectfully submitted,



JOHN S. WAGLEY
Reg. No. 36,043
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(574) 372-7332
DATED: June 25, 2003

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

<i>Application Number</i>	
<i>Filing Date</i>	June 25, 2003
<i>First Named Inventor</i>	Kimberly Ann Dwyer, PhD.
<i>Group Art Unit</i>	
<i>Examiner Name</i>	
<i>Attorney Docket Number</i>	DEP670

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		US 2001/0001121 A1		Lombardo et al.	05-10- 2001	
		US 2001/0007957 A1		Martin et al.	07-12- 2001	
		3,810,312		Carson	05-14-1974	
		4,716, 894		Lazzeri et al.	01-05-1988	
		4,917,530		Engelhardt et al.	04-17-1990	
		4,969,911		Greene	11-13-1990	
		5,002,581		Paxson et al.	03-26-1991	
		5,100,407		Conrad et al.	03-31-1992	
		5,135,529		Paxson et al.	08-04-1992	
		5,197,989		Hinckfuss et al.	03-30-1993	
		5,201,882		Paxson	04-13-1993	
		5,370,706		Bolesky et al.	12-06-1994	
		5,507,824		Lennox	04-16-1996	
		5,507,830		DeMane et al.	04-16-1996	
		5,601,567		Swajger et al.	02-11-1997	
		5,607,431		Dudasik et al.	03-04-1997	
		5,645,607		Hickey	07-08-1997	
		5,658,349		Brooks et al.	08-19-1997	
		5,728,128		Crickenberger et al.	03-17-1998	
		5,766,261		Neal et al.	06-16-1998	
		5,776,200		Johnson et al.	07-07-1998	
		5,792,143		Samuelson et al.	08-11-1998	
		5,810,829		Elliott et al.	09-22-1998	
		5,810,830		Noble et al.	09-22-1998	
		5,858,020		Johnson et al.	01-12-1999	
		5,860,969		White et al.	01-19-1999	
		5,876,459		Powell	03-02-1999	
		5,879,391		Slamin	03-09-1999	
		5,906,644		Powell	05-25-1999	
		5,919,195		Wilson et al.	07-06-1999	
		5,935,172		Ochoa et al.	08-10-1999	
		5,951,606		Burke	09-14-1999	
		5,976,147		LaSalle et al.	11-02- 1999	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 2 of 3

Filing Date

June 25, 2003

Kimberly Ann Dwyer
PhD.

Examiner Name

DEP670

to a collection of information unless it displays a valid OMB control number.

[illegible][illegible]

--	--	--	--	--	--

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 3 of 3	Application Number	
	Filing Date	June 25, 2003
	First Named Inventor	Kimberly Ann Dwyer PhD.
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	DEP670

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁵
		Office ³	Number ⁴	KindCode ⁵				
			WO 96/15739		ARTOS MEDIZINISCHE PRODUKTE GMBH	05-30-1996		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.